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From: Lawrence S. Graham Direct Telephone No.: **(858) 314.1171**

JP No.: JP006562 CAM No.: Docket No: 896034-605001

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LAI-2843965v1

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PAGE 1/6 * RCVD AT 1/25/2007 3:44:45 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-1/3 * DNIS:2738300 * CSID:+8583141151 * DURATION (mm:ss):01:58

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Application of: Barber, Elizabeth K.
Serial No.: 09/966,264
Filed: September 28, 2001
For: GENE EXPRESSION
CONTROL DNA ELEMENT
AND ASSOCIATED PROTEIN

Confirmation No.: 4008
Art Unit: 1636
Examiner: KAUSHAL, Sumesh
Attorney Docket No.: 896034-605001

JAN 25 2007

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

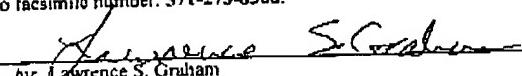
Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Non-Compliant Amendment ("Notice") dated January 23, 2007, in connection with the above-referenced application, Applicant submits herewith a corrected Listing of the Claims. Please consider the Remarks below.

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being filed with the United States Patent and Trademark Office by facsimile transmission on January 25, 2007 to facsimile number 571-273-8300.


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